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16 **UNITED STATES DISTRICT COURT**  
17 **DISTRICT OF NEVADA**

18  
19 SECURITIES AND EXCHANGE  
20 COMMISSION,

21 Plaintiff,

22 vs.

23 BANC DE BINARY LTD, OREN  
24 SHABAT LAURENT (f/k/a OREN  
25 SHABAT), ET BINARY OPTIONS LTD.,  
26 BO SYSTEMS LTD. SEYCHELLES and  
27 BDB SERVICES LTD. SEYCHELLES,

28 Defendants.

Case No.: 2:13-cv-00993-RCJ-VCF

29  
**STIPULATION AND PROPOSED ORDER**  
**STAYING ACTION PENDING**  
**POTENTIAL SETTLEMENT**

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31 WHEREAS, Plaintiff Securities and Exchange Commission (the “SEC”) and Defendants  
32 Banc de Binary Ltd, Oren Shabat Laurent, ET Binary Options Ltd., BO Systems Ltd. Seychelles,  
33 and BDB Services Ltd. Seychelles, have reached a potential settlement in principle that would  
34 resolve this action and the action *CFTC v. Banc de Binary Ltd et al.*, Case No. 2:13-cv-00992-

1 MMD-VCF (the “CFTC Action”);

2 WHEREAS, the defendants in this action and the CFTC Action, counsel for the CFTC  
3 and counsel for the SEC have executed a Term Sheet re: Proposed Global Settlement, dated  
4 August 27, 2015, reflecting the terms of their proposed agreement in principle (the “Proposed  
5 Global Settlement”);

6 WHEREAS, the Proposed Global Settlement is subject to approval by both the  
7 Commissioners of the SEC and the Commissioners of the CFTC;

8 WHEREAS, in the interests of efficiency for the Court and the parties, the parties agree  
9 to stay this action, subject to the Court’s approval, so that the parties can attempt to finalize the  
10 governing documents for the Proposed Global Settlement, so that counsel for the SEC can  
11 recommend the settlement to the SEC Commissioners, and so that the parties can file, if  
12 approved by the SEC Commissioners, any resulting final settlement papers; and

13 WHEREAS, the parties to the CFTC Action are simultaneously filing a similar proposed  
14 stipulation and order to stay the CFTC Action, for the same duration;

15 FOR THE REASONS SET FORTH ABOVE, IT IS HEREBY STIPULATED, by and  
16 among counsel for the parties as follows:

17 1. This action is stayed until October 23, 2015.

18 2. Before October 23, 2015, this stay shall be lifted without further action by the  
19 Court upon the filing of a notice by any party to lift the stay, at which point the litigation shall  
20 immediately resume on the filing date of that notice, with the parties restored to their respective  
21 positions as of the date of this stipulation. No party can challenge or dispute the filing of a notice  
22 to lift the stay by another party. To the extent the stay is lifted by such notice by a party, the  
23 defendants’ response to the SEC’s pending summary judgment motion (Dkt. Nos. 126, 128) shall  
24 be due four days after the notice is filed. Moreover, within five business days of the filing of  
25 party’s notice to lift the stay, the parties agree to jointly request a status conference with the  
26 Court to address the remaining pretrial and trial schedule.

27 3. If the SEC Commissioners do not approve a settlement or a final settlement is not  
28 otherwise reached, with all definitive final documents filed with the Court, by October 23, 2015,

1 then the litigation shall resume on that day, without further action of the Court and with the  
2 parties restored to their respective positions as of the date of this stipulations. The defendants'  
3 response to the SEC's pending summary judgment motion (Dkt. Nos. 126, 128) shall be due  
4 October 28, 2015. Moreover, on or before October 30, 2015, the parties agree to jointly request  
5 a status conference with the Court to address the remaining pretrial and trial schedule.

6  
7 Dated: August 27, 2015

Dated: August 27, 2015

8 /s/ John W. Berry  
9 John W. Berry  
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10 Leslie A. Hakala  
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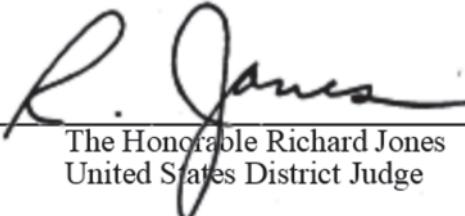
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12  
13  
14 Attorneys for Plaintiff  
15 Securities and Exchange Commission

Attorneys for Defendants

16 IT IS SO ORDERED.  
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Dated: - September 3, 2015 —

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The Honorable Richard Jones  
United States District Judge

## **PROOF OF SERVICE**

I am over the age of 18 years and not a party to this action. My business address is:

U.S. SECURITIES AND EXCHANGE COMMISSION,  
444 S. Flower Street, Suite 900, Los Angeles, California 90071  
Telephone No. (323) 965-3998; Facsimile No. (213) 443-1904.

On August 27, 2015, I caused to be served the document entitled **STIPULATION AND PROPOSED ORDER STAYING ACTION PENDING POTENTIAL SETTLEMENT** on all the parties to this action addressed as stated on the attached service list:

**OFFICE MAIL:** By placing in sealed envelope(s), which I placed for collection and mailing today following ordinary business practices. I am readily familiar with this agency's practice for collection and processing of correspondence for mailing; such correspondence would be deposited with the U.S. Postal Service on the same day in the ordinary course of business.

**PERSONAL DEPOSIT IN MAIL:** By placing in sealed envelope(s), which I personally deposited with the U.S. Postal Service. Each such envelope was deposited with the U.S. Postal Service at Los Angeles, California, with first class postage thereon fully prepaid.

**EXPRESS U.S. MAIL:** Each such envelope was deposited in a facility regularly maintained at the U.S. Postal Service for receipt of Express Mail at Los Angeles, California, with Express Mail postage paid.

**HAND DELIVERY:** I caused to be hand delivered each such envelope to the office of the addressee as stated on the attached service list.

**UNITED PARCEL SERVICE:** By placing in sealed envelope(s) designated by United Parcel Service ("UPS") with delivery fees paid or provided for, which I deposited in a facility regularly maintained by UPS or delivered to a UPS courier, at Los Angeles, California.

**ELECTRONIC MAIL:** By transmitting the document by electronic mail to the electronic mail address as stated on the attached service list.

**E-FILING:** By causing the document to be electronically filed via the Court's CM/ECF system, which effects electronic service on counsel who are registered with the CM/ECF system.

**FAX:** By transmitting the document by facsimile transmission. The transmission was reported as complete and without error.

I declare under penalty of perjury that the foregoing is true and correct.

Date: August 27, 2015

/s/ John W. Berry

John W. Berry

**SEC v. Banc de Binary Ltd, et al.**  
United States District Court – District of Nevada  
Case No. 2:13-cv-00993-RCJ-VCF

## **SERVICE LIST**

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## *Attorneys for Defendants*